IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 491 of 2005 (S/S)

Idrish Khan
S/o late Utsad Iliyas Khan
R/o C/o Shri Devi Ram Arya
Ashok Kutir, Staff House Compound
Mallital, Nainital. ……Petitioner

Versus

1. Principal Bhatkhande
   College of Hindustani Music, Almora
2. Director Bhatkhande College of Hindustani Music
   Almora, District Almora
3. State of Uttaranchal through
   Cultural Directorate, Dehradun……Respondents.

None for the petitioner.
Shri N.P. Sah, learned Standing Counsel for the State.

Hon'ble Prafulla C. Pant, J

None present of the petitioner.

2. Learned Standing Counsel for the State is present.

3. By means of this petition, the petitioner, a Junior Teacher (on contractual basis) with artificial breaks in every year, has sought his regularization in service. In view of the principle of law laid down in ***Secretary, State of Karnataka Vs. Uma Devi, reported in (2006) 4 Supreme Court Cases, Pg. 01,*** wherein it has been held that the workers on contract or daily wages or the persons who get employed without undergoing regular selection process, should not be permitted to be absorbed or regularised against the constitutional scheme of public employment, this Court is not inclined to issue direction to regularize service of the petitioner, as such, the petition is liable to be dismissed.

4. The writ petition is dismissed. Interim order, if any, stands vacated. (All pending applications also stand disposed of).

Dt. 18.11.2006 **(Prafulla C. Pant, J.)**
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